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REPORT OF THE SECRETARY-GENERAL PURSUANT TO SECURITY COUNCIL RESOLUTION 781 (1992)

I. INTRODUCTION

1. In paragraph 1 of its resolution 781 (1992), the Security Council decided to establish a ban on military flights in the airspace of Bosnia and Herzegovina, which would not apply to United Nations Protection Force (UNPROFOR) flights or to other flights in support of United Nations operations, including humanitarian assistance. In paragraph 2 of that resolution, the Security Council requested UNPROFOR "to monitor compliance with the ban on military flights, including the placement of observers where necessary at air fields in the territory of the former Yugoslavia". In paragraph 3 the Security Council further requested UNPROFOR "to ensure, through an appropriate mechanism for approval and inspection, that the purpose of flights to and from Bosnia and Herzegovina other than those banned is consistent with Security Council resolutions". In paragraph 5 of the same resolution, the Security Council called upon States to take nationally, or through regional agencies or arrangements, all measures necessary to provide assistance to UNPROFOR, based on technical monitoring and other capabilities, for the purposes of paragraph 2 of the resolution. The present report is submitted in order to inform the Security Council of the measures recommended or already taken to implement that resolution.

II. CONCEPT OF OPERATIONS

2. In order to monitor compliance with the ban on military flights in the airspace of Bosnia and Herzegovina and to approve and inspect non-military flights to and from that Republic, UNPROFOR has developed a concept that combines the deployment of military observers at selected airfields with information obtained from technical sources.

3. The concept includes the following elements:

(a) A Monitoring Coordination and Control Centre (MCCC), which has already been established at UNPROFOR headquarters in Zagreb, will be responsible for all UNPROFOR activities arising from resolution 781 (1992);

(b) All flights, whether of fixed or rotary-wing aircraft, using the airspace of Bosnia and Herzegovina will be required to obtain prior approval from MCCC. The United Nations High Commissioner for Refugees (UNHCR) has attached liaison personnel to MCCC for the clearance of humanitarian assistance flights. UNPROFOR is currently establishing guidelines as to what categories of non-military flights, other than those for humanitarian assistance, will be permitted in accordance with the provisions of resolution 781 (1992);

(c) All flights with destinations in Bosnia and Herzegovina will be required to depart from Belgrade, Zagreb or Split, where they will be inspected. The last-named airfield will be reserved for humanitarian assistance flights, which will be inspected by UNHCR. Inspections in Belgrade will be undertaken by UNPROFOR civilian police. Inspections in Zagreb will be the responsibility of the European Community Monitoring Mission (ECMM), it having been agreed with the presidency of the European Community that in matters relating to resolution 781 (1992) the ECMM will be tasked by and report to UNPROFOR;

(d) Teams of up to five observers each will be deployed at the following 13 airfields in Croatia, Bosnia and Herzegovina, and the Federal Republic of Yugoslavia (Serbia and Montenegro):

Croatia

Pula
Split
Varazdin
Zagreb

Bosnia and Herzegovina

Banja Luka (two airfields)
Cazin
Tuzla

Federal Republic of Yugoslavia (Serbia and Montenegro)

Batajnica
Kraljevo
Podgorica
Pristina
Surcin

The observers at Pula, Split and Varazdin will be provided by ECMM. At Zagreb and the airfields in Bosnia and Herzegovina and the Federal Republic of Yugoslavia (Serbia and Montenegro) the task will be undertaken by UNPROFOR military observers. The Federal Republic of Yugoslavia (Serbia and Montenegro) has also accepted the extension of UNPROFOR monitoring to the Nis, Ponikve and Berane airfields, as well as to other airfields to which UNPROFOR might seek access from the General Staff of the Yugoslav Armed Forces;

(e) The observer teams will monitor all flight movements at the airfields concerned and inspect on arrival and departure aircraft whose flights into or out of Bosnia and Herzegovina have been approved by UNPROFOR. They will also have a mobile component and may be deployed to other airfields if it becomes known that these are being used for flights into or out of Bosnia and Herzegovina;

(f) In accordance with paragraph 5 of Security Council resolution 781 (1992), technical monitoring information is being made available to MCCC by the North Atlantic Treaty Organization (NATO). All flights detected over Bosnia and Herzegovina will be notified to MCCC, which will verify that all have been approved by UNPROFOR. Any non-approved flights will be reported to the Security Council.

4. In order to meet the immediate requirements of Security Council resolution 781 (1992) without delay, 30 military observers have been temporarily redeployed from four existing peace-keeping operations (United Nations Mission for the Referendum in Western Sahara, United Nations Observer Mission in El Salvador, United Nations Military Observer Group in India and Pakistan and United Nations Truce Supervision Organization in Palestine). The measures described above thus became operational to a limited extent as of 31 October 1992.

5. The Force Commander of UNPROFOR estimates that 75 additional military observers, with air-force and/or air-defence experience, including 25 specialists with pilot and/or air traffic controller qualifications, will be required, together with the necessary vehicles and communications equipment. In addition, three or four officers will be required for MCCC in Zagreb. As soon as these additional personnel have been deployed to the mission area, the 30 military observers temporarily deployed will be returned to their parent missions.

III. COOPERATION OF THE PARTIES

6. The cooperation of the parties concerned is essential for the successful implementation of resolution 781 (1992). On 30 September 1992, in paragraph 7 of a Joint Declaration signed by the President of the Republic of Croatia, Mr. Franjo Tudjman, and the President of the Federal Republic of Yugoslavia, Mr. Dobrica Cosic, the two Presidents welcomed the early stationing of international observers on airfields in their respective countries as a confidence-building measure. On 10 October 1992, at the Working Group on Confidence and Security-Building and Verification Measures of the International Conference on the Former Yugoslavia at Geneva, representatives of the two Governments confirmed the above declaration and agreed on certain practical aspects of the deployment of ECMM and UNPROFOR military observers at airfields in their countries.

7. At a meeting on 13 October with Lord Owen, Co-Chairman of the Steering Committee of the International Conference on the Former Yugoslavia, Mr. Radovan Karadzic, leader of the Bosnian Serbs, agreed to remove all Bosnian Serb combat aircraft from Banja Luka airfield to the Federal Republic of Yugoslavia (Serbia and Montenegro) as a sign of his delegation's desire to facilitate the implementation of resolution 781 (1992). Prime Minister Panic of the Federal Republic of Yugoslavia (Serbia and Montenegro) agreed to accept these aircraft at airfields at which UNPROFOR military observers would be deployed. In a letter to the Secretary-General dated 16 October 1992, the Prime Minister confirmed his willingness to receive the aircraft concerned (S/24698).

8. In a letter to the President of the Security Council dated 21 October, the Permanent Representative of Croatia to the United Nations expressed the concern of his Government that a transfer of the aircraft from Banja Luka to airfields in the Federal Republic of Yugoslavia (Serbia and Montenegro) could violate the provisions of Security Council resolutions 724 (1992) and 757 (1992). The letter also stated the understanding of the Government of Croatia that a transfer of the aircraft from Banja Luka could not limit its rights and those of other successor states regarding the property of the former Yugoslavia (S/24693). Subsequently, Mr. Karadzic withdrew from his earlier agreement to relocate the aircraft. However, at a meeting on 28 October with the co-chairmen of the Steering Committee of the International Conference on the Former Yugoslavia, Mr. Karadzic conveyed assurances that the aircraft concerned were grounded in Banja Luka and would not be flown.

9. UNPROFOR has concluded agreements with the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) (31 October 1992) and those of Croatia (1 November 1992) regarding operational arrangements for the deployment of the military observers on the airfields in those countries. The agreements provide, inter alia, for access to the airfield flight control systems and for the utilization of all relevant data; observation of preparations for and performance of the flying missions of aircraft at the requested airfields; and inspection of all aircraft whose flights have been authorized by UNPROFOR. As regards Bosnia and Herzegovina, similar agreements have been signed by UNPROFOR in Geneva on 3 November 1992 with the Foreign Minister of the Republic of Bosnia and Herzegovina, Mr. Haris Silajdzic, granting UNPROFOR unrestricted access to airfields in the Republic, and separately with Mr. Karadzic in respect of the two airfields in the Banja Luka area. The agreements cover both fixed-wing and rotary-wing aircraft.

IV. OBSERVATIONS

10. I believe that the concept described in the present report will permit effective and cost-efficient implementation of Security Council resolution 781 (1992). Preliminary estimates of the additional costs to the United Nations will appear separately in an addendum to the present report. I accordingly recommend that the Security Council approve the necessary expansion of UNPROFOR's strength on the basis of the plan described above.